

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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ROBERT SKIBA, *on behalf of himself, FLSA Collective Plaintiffs and the Class,*

Plaintiff,

v.

43-43 KISSENA, LLC,  
43KISSENA43, LLC,  
JOHN M DOWNING,  
JOHN M DOWNING, JR.,  
KISSENA GARDENS CONDOMINIUM  
BOARD OF MANAGERS, and  
VINCENT LO, IN HIS REPRESENTATIVE  
CAPACITY AS OFFICER OF THE BOARD  
OF MANAGERS OF KISSENA GARDENS  
CONDOMINIUM,

**Case No.: 1:24-CV-04916 (BMC)**

Defendants.

**RULE 68 JUDGMENT**

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**WHEREAS**, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants 43-43 Kissena, LLC, 43Kissena43, LLC, John M. Downing, John M. Downing, Jr., Kissena Gardens Condominium Board of Managers, and Vincent Lo (collectively “Defendants”), having offered to allow Plaintiff Robert Skiba (“Plaintiff”) to take a judgment against them, in the sum of forty-five thousand dollars (\$45,000), inclusive of all attorneys’ fees, costs, and expenses, and without any admission of liability, for all of the Causes of Action contained in Plaintiff’s Complaint, in accordance with the terms and conditions of Defendants’ Rule 68 Offer of Judgment dated February 7, 2025 and filed as Exhibit A to Docket Number 38;

**WHEREAS**, on February 10, 2025, Plaintiff’s attorney having confirmed Plaintiff’s acceptance of Defendants’ Offer of Judgment (Dkt. No. 38);

It is **ORDERED and ADJUDGED**, that judgment is entered in favor of Plaintiff Rober Skiba, in the sum of \$45,000.00, in accordance with the terms and conditions of

Defendants' Rule 68 Offer of Judgment dated February 7, 2025 and filed as Exhibit A to Docket Number 38.

Dated: February 11, 2025  
Brooklyn, New York

BRENNNA B. MAHONEY  
CLERK OF COURT

by: Jalitza Poveda  
Deputy Clerk